

From: Bryan William Jones
To: Microsoft ATR
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Subject: Microsoft Settlement

Microsoft and their supporters maintain that the company must be allowed to continue to innovate in the computer market without restraint on the part of the government. The reality is that Microsoft actually does very little innovation other than purchasing products and companies and either integrating them into their Windows product or if not feasible from a business sense they kill products that would otherwise compete with the Windows monopoly. Microsoft is not so much about innovation as they are about marketing and their corporate behavior has always been one of repression of small (and large) technology businesses, and as such innovation in the computer industry has been held back and in some cases driven back.

To appreciate how absurd these claims of innovation are we only have to look at the origins of Microsoft that go back to a purchase from Tim Patterson of a product called X86-DOS. X86-DOS was then rebranded as MS-DOS and licensed to IBM for use in their computers. No innovation here. Windows was copied (rather badly in earlier forms) from Apples Lisa and Macintosh lines and was not actually an operating system per se as much as it was an application that ran on top of the real operating system that was still DOS. By the way Novell also had a DOS, which Microsoft crippled by making their Windows application incompatible with thus driving that product out of the market and causing harm to Utah residents and consumers as well as possibly the software industry as a whole.

Contrary to popular belief, the web browser was not invented by Microsoft either. Microsoft was late to that game. The web browser was actually invented on the NeXT platform and Microsofts claim comes by way of licensing of code from a company called Spyglass in 1995. They then called the product MS Internet Explorer. Where Spyglass was harmed was in the licensing agreement. Microsoft agreed to give Spyglass any royalties from the sale of Internet Explorer. When Microsoft started giving away Internet explorer to drive Netscape out of business, there were no royalties available to distribute to Spyglass.

As for Microsofts other products, one would be hard pressed to find one that was not purchased, licensed or conceptually stolen from another company. To illustrate: Microsoft did not invent the word processor as there were many examples of the concept before Word on such platforms as the Apple II, the Osborne, Commodore, Atari, and the TRS-80. Excel was not the original spreadsheet program as that honor goes to Visicalc which originally was created on the Apple II computer. The product we know as Excel was contracted for Apples Macintosh computer in 1984 and was called xcel/Multiplan. Microsoft then created their own "Excel" for Windows. The Microsoft Foxpro database was the result of a purchase of Fox software in 1986, MS-OLE came from Wang labs, Powerpoint came from the purchase of Forethought Inc. in 1987, SQL server was

purchased from Sybase in 1988, Visual Basic was purchased from Cooper software in 1991, and Windows NT which begat Windows 2000 and Windows XP was originally XENIX and was written under contract by Santa Cruz Operation. Even Microsofts games are not home grown efforts. Flight Simulator was purchased from the Bruce Artwick Organization, and their central software product for their forthcoming X-Box game console is the result of a purchase of a company called Bungie which got its start developing for again, the Macintosh.

One could argue that even with Microsofts anti-competitive behavior, they are bringing products to market and making them available to the consumer. But in bringing many of these products to market, Microsoft has used their monopoly status to get away with quality control issues that companies in any other industry would be run out of business for. Microsofts product strategy is not to deliver well designed products based on good engineering, rather their goal is getting products out the door regardless of their level of completeness or the level of quality of the product. They are in reality a timeline driven company rather than a product driven company that even with the benefit of copying others work, they copy and implement that work badly.

The result of this can be seen in numerous bugs that crop up when we are using our computers which for most of us are minor to relatively serious inconveniences, but for organizations like the Navy, they can be deadly as exemplified when Windows NT crashed the computer systems of the USS Yorktown leaving it dead in the water off the coast of Virginia. We can all imagine what would have happened had this crash occurred in combat.

Continuing Microsofts recidivist behavior, the company in releasing XP is tying more and more products into the Windows monopoly and as such they are eliminating consumer choice and continuing to leverage Windows to gain access to other markets and eliminate competition in those markets as well. Does this tying of products into the Windows monopoly constitute innovation? Perhaps loosely but the real question is: How does this affect the consumer? Companies like Spyglass certainly have been taken advantage of as well as the other companies affected by Microsofts behavior throughout the companies history leaving us to ask ourselves, where would we be today if companies small and large were not afraid or unable to compete with Microsoft?

Additionally, it has come to my attention that Microsoft has also recently purchased the patents for 3D technology from SGI. This will possibly allow Microsoft significant leverage over the independent 3D hardware manufacturers who are currently supporting the only rival to Microsoft's Direct3D graphics API, OpenGL. This places development of 3D technology in jeopardy as Microsoft will most likely take what tools they can from OpenGL, integrate them into the Windows paradigm and then eliminate all further development of the OpenGL standard causing significant harm to the consumer and industry.

Best Regards,

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Bryan William Jones
bryan.jones@m.cc.utah.edu
University of Utah School of Medicine
Moran Eye Center Rm 3407
75 N. Medical Dr.
Salt Lake City, Utah 84132
<http://insight.med.utah.edu/marc/index.html>